

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

SYMBOLOGY INNOVATIONS, LLC,

Plaintiff,

v.

MICHAELS STORES, INC.,

Defendant.

CASE NO. 1:21-CV-00412-LY

JURY TRIAL DEMANDED

**MICHAELS STORES, INC.’S RENEWED RULE 12(b)(6)
MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM**

Defendant Michaels Stores, Inc. (“Michaels”) respectfully moves this Court to dismiss Plaintiff Symbology Innovations, LLC’s (“Symbology”) Amended Complaint, pursuant to Federal Rule of Civil Procedure 12(b)(6), for failure to state a claim upon which relief can be granted.

The grounds for this motion are further set forth in Michaels’ Memorandum in Support of its Renewed Rule 12(b)(6) Motion to Dismiss for Failure to State a Claim, which is being filed contemporaneously herewith.

Dated: July 13, 2021

Respectfully submitted,

/s/ Neil J. McNabnay

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**ATTORNEYS FOR DEFENDANT
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy has been electronically filed using the CM/ECF filing system on July 13, 2021, which automatically sends email notifications to all counsel of record and which will permit viewing and downloading of same from the CM/ECF system.

/s/ Neil J. McNabnay

Neil J. McNabnay